

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ENDICO POTATOES, INC.,

Case No.: .

Plaintiff,

-against-

**COMPLAINT**

NASSIR AHMAD BAYAT and RUHULLAH BAYAT,

Defendants.

The plaintiff, ENDICO POTATOES, INC., by and through its attorneys, KREINCES & ROSENBERG, P.C., for its complaint against the defendants, NASSIR AHMAD BAYAT and RUHULLAH BAYAT, alleges:

**THE PARTIES**

1. The plaintiff, ENDICO POTATOES, INC. ("ENDICO"), is a New York Corporation doing business at 160 N. MacQuesten Parkway, Mount Vernon, New York 10550, engaged in the business of buying and selling wholesale quantities of foods and other goods ("goods") in interstate and in intrastate commerce.

2. The defendant, NASSIR AHMAD BAYAT ("NASSIR"), upon information and belief was an officer, director and shareholder of BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD, a foreign corporation doing business in the State of New York.

3. The defendant, RUHULLAH BAYAT ("RUHULLAH"), upon information and belief was an officer, director and shareholder of BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD ("BAYAT OVERSEAS"), a foreign corporation doing business in the State of New York.

4. At all times hereinafter mentioned, BAYAT OVERSEAS of which the individual defendants were officers, directors and shareholders, conducted business at 53-01 Nurge Avenue, Maspeth, County of Queens, City and State of New York at all times hereinafter mentioned.

### **JURISDICTION AND VENUE**

5. This Court has jurisdiction over the causes of action against the defendants NASSIR and RUHULLAH pursuant to 28 U.S.C. §1332 in that the amount in controversy exceeds \$75,000.00, and each of them are citizens of the State of New Jersey.

6. Venue in this District is proper pursuant to 28 U.S.C. §1391(b) in that the substantial part of the events giving rise to the claims occurred in this judicial District.

### **FACTUAL BACKGROUND**

7. On or about October 12, 2007 the plaintiff, ENDICO, procured a Default Judgment in the amount of \$258,290.44 against one BAYAT OVERSEAS which judgment was entered in the office of the Clerk of the County of Queens on October 12, 2007. A copy of the Judgment is annexed hereto and made part hereof as Exhibit "A".

8. The Judgment was based upon goods sold and delivered by the plaintiff ENDICO to BAYAT OVERSEAS between May 4, 2006 and June 12, 2006, aggregating the sum of \$226,577.13. A copy of the statement of the sale of goods is annexed hereto and made part hereof as Exhibit "B". The invoices from May 4, 2006 to June 9, 2006 containing the goods sold and delivered by the plaintiff ENDICO to BAYAT OVERSEAS are annexed hereto and made part hereof as Exhibit "C".

9. No part of the aforesaid Judgment has been satisfied by BAYAT OVERSEAS or by the defendants and the Judgment is in full force and effect and has not been modified, vacated or reversed.

10. On or about October 30, 2007, plaintiff ENDICO served an Information Subpoena with annexed Questionnaire upon Commerce Bank, the bank at BAYAT OVERSEAS had its operating account. A copy of the Information Subpoena and Questionnaire is annexed hereto and part hereof as Exhibit "D".

11. On or about November 8, 2007, Commerce Bank responded to the Information Subpoena and answered the questions contained therein, a copy of which is annexed hereto and part hereof as Exhibit "E".

12. In addition and in response to the subpoena served upon the Commerce Bank, certain bank statements were received by the plaintiff, ENDICO, as follows:

- A. Bank statement for the period January 3, 2006 through January 31, 2006, a copy of which is annexed hereto and made part hereof as Exhibit "F" which bank statement shows deposits of \$112,116.49 and debits of \$111,765.60 leaving a balance of \$18,743.12 as of January 31, 2006.
- B. Bank statement for the period February 1, 2006 through February 28, 2006 showing deposits and credits of \$73,843.01 and debits of \$76,303.49 leaving a balance of \$16,282.64 as of February 28, 2006, a copy of which is annexed hereto as Exhibit "G".
- C. Bank statement from March 1, 2006 through March 31, 2006 with deposits of \$103,060.51 and debits of \$106,700.85 leaving a balance as of March 31, 2006 of \$12,642.30, annexed as Exhibit "H".

- D. Bank statement from April 3, 2006 through April 30, 2006 with deposits of \$63,084.95 and debits of \$59,549.09, annexed hereto and made part hereof as Exhibit "I". On April 30, 2007, the balance was \$16,178.16.

Upon information and belief,

- i. BAYAT OVERSEAS has no books of account;
- ii. BAYAT OVERSEAS had no inventory during the months of April, May and June.
- iii. BAYAT OVERSEAS had a negative value in that its liabilities exceeded its assets during April, May and June of 2006.
- iv. BAYAT OVERSEAS is presently out of business.
- v. BAYAT OVERSEAS is a defunct entity which cannot pay its debts.
- vi. BAYAT OVERSEAS has been stripped of its assets in that they have been appropriated for the personal use of the defendants NASSIR and RUHULLAH and have been used by them to create new businesses.
- vii. BAYAT OVERSEAS was never adequately capitalized to engage in the business for which it was formed.
- viii. From the time of its formation in the year 2003, BAYAT OVERSEAS was under capitalized with the intent of avoiding obligations bound to arise as a result of its operations.

- ix. The defendants NASSIR and RUHULLAH continually drained all income out of BAYAT OVERSEAS in disregard of its corporate existence.
- x. BAYAT OVERSEAS failed to adhere to the formalities of corporate existence in that failed to keep adequate records relating to governance of its corporate affairs and accounting of its finances, in that it failed to issue any share certificates to its shareholders, NASSIR and RUHULLAH and to obtain from them capital contributions and in return therefore, in that it failed to retain, before distribution to each defendant, earnings from its operations in an amount sufficient to meet its financial obligations.
- xi. Each defendant completely dominated the corporation in that they organized, managed and controlled BAYAT OVERSEAS.
- xii. Each defendant conducted the business of BAYAT OVERSEAS in disregard of its corporate formalities in a manner that suited each defendant's own personal convenience.

13. By virtue of the foregoing, BAYAT OVERSEAS primarily transacted the business of each defendant rather than its own business and acted as the alter ego of each defendant.

14. In view of each defendants disregard of the formalities of the corporate existence of BAYAT OVERSEAS the adherence to the fiction of such separate corporate existence of BAYAT OVERSEAS would result in injustice to the plaintiff.

15. By reason of the foregoing, each defendant is personally responsible for the indebtedness of BAYAT OVERSEAS to the plaintiff and is therefore personally liable to the plaintiff in the amount of the aforesaid judgment against BAYAT OVERSEAS together with interest from the date of entry of the judgment.

16. Pursuant to the Subpoena, Commerce Bank provided bank statement for BAYAT OVERSEAS for the period of May 11 through May 31, 2006, annexed hereto and made part hereto as Exhibit "J".

17. This period is the same period during which the plaintiff, ENDICO, sold its goods to BAYAT OVERSEAS viz. May 4, 2006 to June 12, 2006 ("period of purchase"). During the period of purchase there was an overdraft balance and as of May 31, 2006 there was an overdraft balance of \$11,951.51.

18. During the aforesaid period of purchase there was a levy fee and New York restraining notice on May 11, 2006 in the sum of \$17,870.74 which was paid on May 12, 2007. In addition there was a restraining notice on May 19, 2006 in the sum of \$18,862.79 which was paid on May 23, 2006 after a deposit in cash, by the defendants into the bank account of BAYAT OVERSEAS in the sum of \$24,000.00 on May 22, 2006. During the period of purchase, there were seven return checks and on several occasions uncollected funds fees.

#### **COUNT 1**

#### **(FAILURE TO PAY FOR GOODS SOLD)**

19. Plaintiff incorporates each and every allegation set forth in paragraphs "1" to " " as though fully set forth herein.

20. A substantial amount of goods were purchased by BAYAT OVERSEAS from the plaintiff from May 4, 2006 through May 31, 2006 when the balance due to the plaintiff was \$186,516.01, which represents the agreed price and reasonable value of the goods purchased by BAYAT OVERSEAS from the plaintiff from May 4, 2006 through May 31, 2006 during which and at the end of the period of purchase, BAYAT OVERSEAS had an overdraft balance.

21. During the period of June 2, 2006 through June 30, 2006, there were deposits of \$365,011.81, debits of \$353,060.30 and a beginning overdraft of \$11,951.51 leaving a balance in the checking account as of June 30, 2006 of zero dollars, a copy of this statement is annexed hereto and made part hereof as Exhibit "K". From the period of June 1, 2006 through June 12, 2006, BAYAT OVERSEAS purchased additional goods from the plaintiff ENDICO aggregating the sum of approximately \$45,000.00.

22. Each of the defendants signed the following checks and delivered the same to the plaintiff in payment of the invoices annexed hereto and made part hereof as Exhibit "C", all of which checks were returned for the reason set forth through their amount, checks annexed hereto as Exhibit "L".

- a. Check of June 16, 2006 in the sum of \$15,600.05 returned for reason that the account was closed.
- b. Check of June 9, 2006 for \$16,027.75 - insufficient funds.
- c. Check of June 12, 2006 for \$15,600.05 - insufficient funds.
- d. Check of June 15, 2006 for \$15,800.05 - account closed.

23. The defendants are responsible for the payment of the judgment to the plaintiff ENDICO POTATOES in that each of them exercised such complete domination and control in respect to the purchase of the goods by BAYAT OVERSEAS during the months of May and June when each of them knew that the operating account of BAYAT OVERSEAS did not have sufficient funds to pay for such goods in the normal course of business and in respect to the transactions for the sale of goods by ENDICO to BAYAT OVERSEAS and, as such, BAYAT OVERSEAS at that time had no separate will of its own in that each of these defendants were controlling and dominating the affairs of BAYAT OVERSEAS.

24. This domination and control was used to commit a fraud and other wrongful acts against the plaintiff ENDICO which caused it injury in that it sold goods having an agreed price and reasonable value of \$226,677.15 which has ripened into a judgment of \$258,290.44.

25. In fact, each of these defendants knew that the corporation did not have sufficient funds to pay for the goods which it ordered and received from the plaintiff ENDICO during the months of May and June, 2006 and, had known and had planned that BAYAT OVERSEAS would cease doing business and close its bank account in June, 2006. Each of these defendants controlled and dominated the affairs of BAYAT OVERSEAS to perpetuate fraud and a wrong upon the plaintiff ENDICO in that BAYAT OVERSEAS could never pay for the goods in view of the history of its receipts and expenses as set forth in its operating account, could not make good the checks which it issued and that in issuing checks which they knew would be returned for insufficient funds and for the reason that the account was closed. These checks aggregate the sum of \$63,027.90.



26. Such conduct is inimical to the normal and customary operation of corporate affairs and such perfidy was conducted by each defendant solely for the purpose of permitting the generation of account's receivable by the sale of the goods, the collection of which were used by each defendant for its personal use thus perverting the legitimate structure of BAYAT OVERSEAS.

## COUNT II

27. Plaintiff incorporates each and every allegation set forth in paragraphs "1" to " " above as if fully set forth herein.

28. Each plaintiff concealed their knowledge that they were terminating the business of BAYAT OVERSEAS, that the operating funds of BAYAT OVERSEAS were insufficient to pay for the goods sold and delivered to it by the plaintiff ENDICO, that there were levies and restraining notices imposed by judgment creditors upon the bank account of BAYAT OVERSEAS, that it issued checks when they knew there was insufficient funds to pay those checks and issued checks when, in fact, the account was closed.

29. Each defendant knew that if they had told the plaintiff, ENDICO, of their knowledge as aforesaid that the defendant ENDICO would not sell to the plaintiff BAYAT OVERSEAS such goods aggregating the sum of \$228,677.13 because, in fact, each defendant knew that BAYAT OVERSEAS would be unable to pay for such goods as they ordered such goods on each of the days set forth in the statement annexed hereto and made part hereof as Exhibit "B".

30. Each plaintiff knew that the plaintiff ENDICO would rely upon such knowledge had it been communicated to them and, intentionally and recklessly withheld such knowledge from the plaintiff ENDICO which it ordered goods from the plaintiff ENDICO during the months of May and June of 2006.

31. By reason of the foregoing, the plaintiff has been damaged in the sum of \$258,290.44.

WHEREFORE, plaintiff demands judgment against each defendant, jointly and severely in the sum of \$258,290.44 with interest from October 12, 2007 on each count, together with punitive damages of \$250,000.00, and the costs and disbursements of this action.

Dated this 22nd day of January, 2008.

Respectfully submitted,

KREINCES & ROSENBERG, P.C.

By: 

LEONARD KREINCES (LK/6524)  
Attorneys for Plaintiff  
900 Merchants Concourse, Suite 305  
Westbury, New York 11590  
(516) 227-6500

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

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Index No. 6973-07

QUEENS COUNTY CLERK  
FILED  
RECORDED  
2007 OCT 12 AM 10:29

ENDICO POTATOES, INC.,

Plaintiff,

-against-

**DEFAULT JUDGMENT**

BAYAT OVERSEAS, INC. D/B/A PAMIR FOOD,

Defendant.

The summons and complaint in the above-entitled action having been served upon the defendant, BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD, on the 6<sup>th</sup> day of April, 2007 and the time for the defendant to appear, answer or raise a objection to the complaint in point of law having expired, and the defendant not having appeared, answered or raised an objection to the complaint in point of law, and the notice required by CPLR 3215(g)(4) having been duly mailed,

NOW, upon the summons and complaint and proof of service thereof, the notice required under CPLR 3215(g)(4), the affidavit of ROBERT HANNA, sworn to on the 27<sup>th</sup> day of July, 2007 and upon motion of LEONARD KREINCES, ESQ., attorney for plaintiff, it is

**ADJUDGED** that the plaintiff, ENDICO POTATOES, INC., residing at 160 No. MacQuesten Parkway, Mount Vernon, New York do recover of the defendant, BAYAT OVERSEAS, INC. D/B/A PAMIR FOOD, residing at 53-01 Nurge Avenue, Maspeth, New York 11378, the sum of Two Hundred Twenty Six Thousand Six Hundred Seventy-Seven and 15/100 (\$226,677.15) DOLLARS, the amount claimed plus interest from April 1, 2006 in the sum of \$ 31,188.<sup>29</sup> plus costs and disbursements as taxed by the clerk in the sum of FOUR HUNDRED TWENTY-FIVE (\$425.00) DOLLARS, amounting in all to the sum of

*Duke*

\$ 258,290.<sup>44</sup>

, and that plaintiff have execution therefor,

Judgment entered this 12<sup>th</sup> day of October, 2007.

INDEX # 6973/07

*Rosa D'Amico*

Clerk

QUEENS COUNTY CLERK  
FILED  
RECORDED  
2007 OCT 12 AM 10:29

DOCKETED  
BY *EG* (2)

CRTING  
01/05/07 - 3:27 PM

ENDICO POTATOES INC.

CREDIT REPORT

PAGE: 1

CUSTOMER NO: PAM400

PAMIR FOODS

D/B/A/ BAYAT OVERSEAS INC

53-01 NURGE AVE

MASETH, NY 11378

LAST INVOICE DATE

06/09/06

LAST PAYMENT DATE

06/21/06

OLDEST INVOICE

06116

CREDIT LIMIT

260,304.93

FAX: 718-366-2276

YTD SALES .00

NO INVOICES 0

OPEN ORDER \$ .00

OPER A/R AMT 260,304.93

SALESPERSON: 27		TELEPHONE: 718-366-2111		AVG DAYS TO PAY 0		TIMES PAST DUE 1656					
DATE	REF	DEBITS	CREDITS	LINE	BALANCE	RUNNING BALANCE	DATE	REFERENCE	AMOUNT		
1-04/26/06	7B2840	7,530.98	6,024.19		1,506.79	1,506.79	06/02/06	C113471	4,251.43		
2-05/04/06	7B3413	6,978.29	.00		6,978.29	8,485.08	06/09/06	C113806	1,772.76		
3-05/05/06	7B3529	12,751.28	.00		12,751.28	21,236.36					
4-05/08/06	7B3586	12,850.57	.00		12,850.57	34,086.93					
5-05/09/06	7B3692	10,940.46	.00		10,940.46	45,027.39					
6-05/09/06	7B3709	134.00	.00		134.00	45,161.39					
7-05/10/06	7B3797	3,694.52	.00		3,694.52	48,855.91					
8-05/11/06	7B3907	8,942.36	.00		8,942.36	57,798.27					
9-05/12/06	7B4019	9,991.23	.00		9,991.23	67,789.50					
10-05/15/06	7B4084	7,143.20	.00		7,143.20	74,932.70					
11-05/16/06	7B4185	9,308.16	.00		9,308.16	84,240.86					
12-05/18/06	7B4375	11,748.85	.00		11,748.85	95,989.71					
13-05/19/06	7B4476	11,173.92	.00		11,173.92	107,163.63					
14-05/22/06	7B4549	14,361.39	.00		14,361.39	121,525.02					
15-05/23/06	7B4660	11,649.44	.00		11,649.44	133,174.46					
16-05/24/06	7B4745	15,551.69	.00		15,551.69	148,726.15					
17-05/25/06	7B4858	10,078.19	.00		10,078.19	158,804.34					
18-05/26/06	7B4982	18,857.83	.00		18,857.83	177,662.17					
19-05/31/06	7B5154	8,853.84	.00		8,853.84	186,516.01					
20-06/01/06	7B5305	8,377.07	.00		8,377.07	194,893.08					
21-06/02/06	7B5432	9,757.82	.00		9,757.82	204,650.90					
22-06/06/06	7B5546	9,788.49	.00		9,788.49	214,439.39					
23-06/06/06	7B5607	6,037.70	.00		6,037.70	220,477.09					
24-06/07/06	7B5689	5,036.00	.00		5,036.00	225,513.09					
25-06/08/06	7B5807	6,030.69	.00		6,030.69	231,543.78					
26-06/09/06	7B5920	12,733.40	.00		12,733.40	244,277.18					
27-06/12/06	C113874		15,600.05		15,600.05	228,677.13					

CRTINQ  
01/05/0

ENDICOTT POTATOES, INC.

# CREDIT REPORT

PAGE: 2

CUSTOMER NO: PAM400

PAMIR FOODS

D/B/A/ BAYAT OVERSEAS INC  
53-01 NURGE AVE  
MASPETH, NY 11378

FAX: 718-366-2276

LAST INVOICE DATE	06/09/06	YTD SALES	.00
LAST PAYMENT DATE	06/21/06	NO INVOICES	0
OLDEST INVOICE	06116	OPEN ORDER \$	.00
CREDIT LIMIT		OPER A/R AMT	260,304.93

SALESPERSON: 27      TELEPHONE: 718-366-2111      AVG DAYS TO PAY 0      TIMES PAST DUE 1656

DATE	REF	DEBITS	CREDITS	LINE BALANCE	RUNNING BALANCE	DATE	REFERENCE	AMOUNT
28 06/14/06	C113999		15,600.05-	15,600.05-	213,077.08			
29-06/14/06	C114000		15,600.05-	15,600.05-	197,477.03			
30-06/21/06	C114382	16,027.75	.00	16,027.75	213,504.78			
31-06/21/06	C114383	15,600.05	.00	15,600.05	229,104.83			
32-06/21/06	C114384	15,600.05	.00	15,600.05	244,704.88			
33-06/21/06	C114385	15,600.95	.00	15,600.05	260,304.93			

CURRENT	21 DAYS	28 DAYS	45 DAYS	90 DAYS+
.00	.00	.00	.00	260,304.93

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

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Index No. 6973-07

ENDICO POTATOES, INC.,

Plaintiff,

-against-

BAYAT OVERSEAS, INC. D/B/A PAMIR FOOD,

Defendant.

**SUBPOENA  
(Duces Tecum)  
To Take Deposition of  
Witness**

-----  
**with Restraining Notice**

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**THE PEOPLE OF THE STATE OF NEW YORK**

TO: COMMERCE BANK

witness, GREETING:

Address: 5555 Merrick Road, Massapequa, New York 11758

WHEREAS, in an action in the Supreme Court, Queens County, State of New York (Index Number: 6973/07) between ENDICO POTATOES, INC., as plaintiff, and BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD, as defendant, who are all the parties named in said action, a judgment was entered on October 12, 2007, in favor of ENDICO POTOATOES, INC., judgment creditor, and against BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD, judgment debtor, in the amount of \$258,290.44 plus interest remains due and unpaid; and WHEREAS, the witness; resides in Nassau County; and WHEREAS, the Judgment was entered in the Office of the Clerk of the County of Nassau on October 12, 2007;

WE COMMAND YOU, to appear and attend before Kreinces & Rosenberg, P.C., at 900 Merchants Concourse, Suite 305, Westbury, New York 11590, on December 10, 2007, at 10:00 a.m., and at any recessed or adjourned date for the taking of a deposition under oath upon oral or written questions on all matters relevant to the satisfaction of such judgment;

AND WE FURTHER COMMAND YOU to produce for examination at such time and place the following books, papers and records:

1. **All records for the period of time of two years prior to the date of closing by the defendant of account number 7918850657 at Commerce Bank, 555 Merrick Road, Massapequa, New York.**

and all other books papers, and records in your possession or control which have or may contain information concerning your property, income or other means relevant to the satisfaction of the judgment;

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court. RESTRAINING NOTICE: WHEREAS it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which the judgment debtor has an interest;

\*

TAKE NOTICE that pursuant to subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, interference with, any such property or pay over or otherwise dispose of any such debt except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession or custody, and all debts hereafter coming due from you to the judgment debtor.

#### CIVIL PRACTICE LAW AND RULES

Section 5222 (b) Effect of restraint; prohibition of transfer; duration. A judgment debtor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor is effective only if, at the time of service, he owes a debt to the judgment debtor or he is in the possession or custody of property in which he knows or has reason to believe the judgment debtor has an interest, or if the judgment creditor has stated in the notice that a specified debt is owed by the person served to the judgment debtor or that the judgment debtor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff, except upon direction of the sheriff or pursuant to an order of the court until the expiration of one year after the notice is served upon him, or until the judgment is satisfied or vacated, whichever event first occurs. A judgment creditor who has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor in an amount equal to twice the amount due on the judgment, the restraining notice is not effective as to other property or money.

TAKE NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.



WITNESS, Sidney F. Strauss, one of the justices of our said court, at the court house in the county of Queens, the 15<sup>th</sup> day of November, 2007.

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Leonard Kreinces, Esq.

Attorneys for Judgment Creditor:  
Kreinces & Rosenberg, P.C.  
900 Merchants Concourse, Suite 305  
Westbury, New York 11590

\* Space provided if debt or property is to be specified.

Z:\kreinces\WORK\General\EndicoPotatoes\Pamir\Subpoena 2.wpd

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

ENDICO POTATOES, INC.,

Plaintiff,

-against-

BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD,

Defendants.

Index No.: 6973-07

**INFORMATION  
SUBPOENA  
QUESTIONNAIRE**

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NASSAU )

Jennifer Holmes, being duly sworn deposes and says: that deponent is the  
Lery Associate of COMMERCE BANK recipient of an Information Subpoena herein and of the  
original and a copy of questions accompanying said subpoena. The answers set forth below are made from  
information obtained from the records of the recipient.

1. Q. Does the defendant(s) have relationship with your institution?  
A. Yes      No      ✓
2. Q. What type of account does the defendant(s) have?  
A. None
3. Q. What is the defendant(s)'s account number?  
A. NA
4. Q. What is the defendant(s)'s present balance?  
A. NA
5. Q. What is the defendant(s)'s social security number or tax identification number?  
A. NA
6. Q. Does the defendant(s) have a safety deposit box?  
A. Yes      No      X

Bank Officer

Name: Jennifer Holmes

Sworn to before me on the  
8 day of November, 2007

MARLENE COOPER  
Notary Public  
In and for the State of New York  
My Commission Expires May 1, 2011

Notary Public

*Confirmed with  
Lery Department  
what cost does  
not have access  
to Commerce  
Bank*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

ENDICO POTATOES, INC.,

Plaintiff,

-against-

BAYAT OVERSEAS, INC. d/b/a PAMIR FOOD,

Defendants.

Index No.: 6973-07

**INFORMATION  
SUBPOENA  
QUESTIONNAIRE**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn deposes and says: that deponent is the  
\_\_\_\_\_ of COMMERCE BANK recipient of an Information Subpoena herein and of the  
original and a copy of questions accompanying said subpoena. The answers set forth below are made from  
information obtained from the records of the recipient.

1. Q. Did the defendant ever have a relationship with your institution?

A. Yes \_\_\_\_\_ No \_\_\_\_\_

2. Q. Does the defendant have a bank account at your institution under number \_\_\_\_\_?

A.

3. Q. Please provide the tax identification number given to the bank for that account.

A.

\_\_\_\_\_  
Bank Officer

Name:

Sworn to before me on the  
\_\_\_\_\_ day of November, 2007

\_\_\_\_\_  
Notary Public

7918850657

BAYAT OVERSEAS INC. DBA PAMIR FOOD  
53-01 NURGE AVE  
MASPETH NY 11378

01/31/06

7918850657

CYCLE-010

5

\*\*\* CHECKING \*\*\* NY BUSINESS

ACCOUNT NUMBER	7918850657	18,492.23
PREVIOUS STATEMENT BALANCE AS OF 12/31/05		112,016.49
PLUS 23 DEPOSITS AND OTHER CREDITS		111,765.60
LESS 18 CHECKS AND OTHER DEBITS		18,743.12
CURRENT STATEMENT BALANCE AS OF 01/31/06		
NUMBER OF DAYS IN THIS STATEMENT PERIOD	31	

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
			1279	01/18	15,000.00
1273	01/13	16,000.00	1280	01/24	17,685.98
1277*	01/04	30,000.00	1282*	01/31	16,000.00
1278	01/10	14,000.00			

\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
01/03	DEPOSIT		1,832.35
01/03	DEPOSIT		2,203.00
01/03	DEPOSIT		5,000.00
01/03	DEPOSIT		5,000.00
01/03	DEPOSIT		3,031.50
01/04	DEPOSIT		1,450.45
01/05	DEPOSIT		6,707.47
01/06	DEPOSIT		2,466.20
01/09	DEPOSIT		2,694.25
01/10	DEPOSIT		8,400.00
01/11	DEPOSIT		4,963.43
01/12	DEPOSIT		
01/13	RETURN DEPOSITED ITEM FEES	10.00	
01/13	RETURN DEPOSITED ITEM	100.00	
01/17	DEPOSIT		4,601.59
01/17	DEPOSIT		5,863.55
01/17	RETURN DEPOSITED ITEM FEES	10.00	
01/17	RETURN DEPOSITED ITEM	707.00	
01/18	DEPOSIT		5,492.51
01/18	RETURN DEPOSITED ITEM FEES	10.00	
01/18	RETURN DEPOSITED ITEM	100.00	
01/18	WIRE TRANSFER FEE001421	15.00	
01/18	WIRE TRANSFER001421	1,444.72	
01/19	DEPOSIT		1,097.50
01/19	UNCOLLECTED FUNDS FEE	33.00	
01/23	DEPOSIT		5,125.16
01/24	DEPOSIT		2,979.00
01/24	RETURNED CHECK # 00001280		17,685.98
01/25	DEPOSIT		2,771.20
01/25	NSF FEE	33.00	
01/26	DEPOSIT		1,915.35
01/27	DEPOSIT		5,888.90
01/27	RETURN DEPOSITED ITEM FEES	10.00	
01/27	RETURN DEPOSITED ITEM	606.90	
01/30	DEPOSIT		7,640.20
01/31	DEPOSIT		7,206.90

\*\*\* BALANCE BY DATE \*\*\*

12/31	18,492.23	01/03	32,527.58	01/04	5,559.08	01/05	7,009.53
01/06	13,717.00	01/09	16,183.20	01/10	4,877.45	01/11	13,277.45
		01/12	2,130.88	01/17	11,879.02	01/18	801.81

SAYAT OVERSEAS INC. DBA PAMIR FOOD  
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01/31/06

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\*\*\* BALANCE BY DATE \*\*\*  
01/19 1,866.31 01/23 6,991.47 01/24 9,970.47 01/25 12,708.67  
01/26 14,624.02 01/27 19,896.02 01/30 27,536.22 01/31 18,743.12

EFFECTIVE 3/17/06, THE PER ITEM FEE FOR NSF, UNCOLLECTED  
FUNDS, OVERDRAFT AND RETURNED ITEMS ON YOUR ACCOUNT WILL  
BE \$35.00. A STOP PAYMENT WILL BE \$25.00.

BAYAT OVERSEAS INC. DBA PAMIR FOOD  
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\*\*\* CHECKING \*\*\* NY BUSINESS

ACCOUNT NUMBER 7918850657

PREVIOUS STATEMENT BALANCE AS OF 01/31/06 .....	18,743.12
PLUS 19 DEPOSITS AND OTHER CREDITS .....	73,843.01
LESS 12 CHECKS AND OTHER DEBITS .....	76,303.49
CURRENT STATEMENT BALANCE AS OF 02/28/06 .....	16,282.64
NUMBER OF DAYS IN THIS STATEMENT PERIOD 28	

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1280S	02/06	17,685.98	1284	02/13	17,135.71
1283*	02/08	14,300.19	1285	02/21	15,985.26

\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
02/01	DEPOSIT		5,058.02
02/02	DEPOSIT		3,279.84
02/03	DEPOSIT		4,368.66
02/03	RETURN DEPOSITED ITEM FEES	10.00	
02/03	RETURN DEPOSITED ITEM FEES	10.00	
02/03	RETURN DEPOSITED ITEM	399.45	
02/03	RETURN DEPOSITED ITEM	1,121.00	
02/06	DEPOSIT		5,069.55
02/06	RETURN DEPOSITED ITEM FEES	10.00	
02/06	RETURN DEPOSITED ITEM	606.90	
02/07	DEPOSIT		3,943.61
02/09	DEPOSIT		5,864.08
02/10	DEPOSIT		3,277.95
02/13	DEPOSIT		4,193.15
02/15	DEPOSIT		3,437.90
02/16	DEPOSIT		1,240.30
02/17	DEPOSIT		3,662.95
02/21	DEPOSIT		2,274.68
02/21	DEPOSIT		3,592.33
02/22	DEPOSIT		3,432.60
02/22	UNCOLLECTED FUNDS FEE	33.00	
02/23	DEPOSIT		2,405.48
02/24	DEPOSIT		3,867.45
02/27	DEPOSIT		2,613.21
02/28	DEPOSIT		3,059.25
02/28	DEPOSIT		9,002.00
02/28	COUNTER WITHDRAWAL	9,006.00	

\*\*\* BALANCE BY DATE \*\*\*

01/31	18,743.12	02/01	23,801.14	02/02	27,080.98	02/03	29,909.19
02/06	16,675.86	02/07	20,619.47	02/08	6,319.28	02/09	12,183.36
02/10	15,461.31	02/13	2,518.75	02/15	5,956.65	02/16	7,196.95
02/17	10,859.90	02/21	741.65	02/22	4,141.25	02/23	6,546.73
02/24	10,414.18	02/27	13,227.39	02/28	16,282.64		

BAYAT OVERSEAS INC. DBA PAMIR FOOD  
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\*\*\* CHECKING \*\*\* NY BUSINESS

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ACCOUNT NUMBER 7918850657

PREVIOUS STATEMENT BALANCE AS OF 02/28/06	16,282.64
PLUS 26 DEPOSITS AND OTHER CREDITS	103,060.51
LESS 18 CHECKS AND OTHER DEBITS	106,700.85
CURRENT STATEMENT BALANCE AS OF 03/31/06	12,642.30
NUMBER OF DAYS IN THIS STATEMENT PERIOD 31	

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
	03/01	15,439.85			
1288*	03/07	15,663.00	1290	03/13	4,251.70
1289	03/14	16,000.00	1291	03/15	379.00
1289S	03/24	16,000.00	1292	03/21	16,410.92
			1293	03/30	12,893.46

\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
03/01	DEPOSIT		
03/02	DEPOSIT		3,603.50
03/03	DEPOSIT		2,403.55
03/06	DEPOSIT		11,129.75
03/06	DEBIT MEMO		8,874.13
03/07	DEPOSIT	2,000.00	
03/07	WIRE TRANSFER FEE000538		3,034.71
03/07	WIRE TRANSFER000538	15.00	
03/08	DEPOSIT	3,308.00	
03/09	WIRE TRANSFER000481		4,214.17
03/09	DEPOSIT		1,486.46
03/09	RETURN DEPOSITED ITEM FEES		1,166.20
03/09	RETURN DEPOSITED ITEM	10.00	
03/09	WIRE TRANSFER FEE000145	1,294.00	
03/09	WIRE TRANSFER FEE000394	15.00	
03/09	WIRE TRANSFER000145	15.00	
03/09	WIRE TRANSFER000394	1,486.46	
03/10	DEPOSIT	1,486.46	
03/13	DEPOSIT		3,434.00
03/14	DEPOSIT		3,876.87
03/14	RETURNED CHECK # 00001289		1,294.00
03/15	DEPOSIT		16,000.00
03/15	DEPOSIT		3,103.60
03/15	NSF FEE		3,584.15
03/17	DEPOSIT	33.00	
03/20	DEPOSIT		5,191.23
03/21	DEPOSIT		3,835.62
03/22	DEPOSIT		2,145.82
03/24	DEPOSIT		3,104.63
03/27	DEPOSIT		2,939.55
03/27	DEPOSIT		1,248.75
03/27	DEPOSIT		1,494.00
03/28	DEPOSIT		3,384.37
03/29	DEPOSIT		1,292.72
03/30	DEPOSIT		6,924.55
03/31	DEPOSIT		1,954.80
			2,339.38

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\*\*\* BALANCE BY DATE \*\*\*

02/28	16,282.64	03/01	4,446.29	03/02	6,849.84	03/03	17,979.59
03/06	24,853.72	03/07	8,902.43	03/08	13,116.60	03/09	11,462.34
03/10	14,896.34	03/13	14,521.51	03/14	15,815.51	03/15	22,091.26
03/17	27,282.49	03/20	31,118.11	03/21	16,853.01	03/22	19,957.64
03/24	6,897.19	03/27	13,024.31	03/28	14,317.03	03/29	21,241.58
03/30	10,302.92	03/31	12,642.30				



BAYAT OVERSEAS INC. DBA PAMIR FOOD  
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\*\*\* CHECKING \*\*\* NY BUSINESS

ACCOUNT NUMBER 7918850657

PREVIOUS STATEMENT BALANCE AS OF 03/31/06 .....	12,642.30
PLUS 17 DEPOSITS AND OTHER CREDITS .....	63,084.95
LESS 10 CHECKS AND OTHER DEBITS .....	59,549.09
CURRENT STATEMENT BALANCE AS OF 04/30/06 .....	16,178.16
NUMBER OF DAYS IN THIS STATEMENT PERIOD 30	

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1295	04/05	14,254.49	1298	04/26	14,000.00
1296	04/12	12,076.51	11236237*	04/14	740.00
1297	04/20	14,907.32	12475108*	04/04	861.00

\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
04/03	DEPOSIT		
04/04	DEPOSIT		3,836.57
04/05	DEPOSIT		2,418.85
04/06	DEPOSIT		2,496.00
04/07	DEPOSIT		1,617.44
04/10	DEPOSIT		4,522.26
04/12	DEPOSIT		3,831.00
04/13	DEPOSIT		3,234.32
04/13	WIRE TRANSFER FEE001232	15.00	2,309.20
04/13	WIRE TRANSFER001232	1,486.46	
04/14	DEPOSIT		
04/17	DEPOSIT		6,434.17
04/19	DEPOSIT		3,166.26
04/20	DEPOSIT		7,111.19
04/21	DEPOSIT		2,472.69
04/21	DEPOSIT		3,353.97
04/21	RETURN DEPOSITED ITEM FEES	10.00	
04/21	RETURN DEPOSITED ITEM	1,198.31	
04/24	DEPOSIT		
04/25	DEPOSIT		4,401.00
04/26	DEPOSIT		2,550.17
04/26	DEPOSIT		2,606.57
04/28	DEPOSIT		6,723.29

\*\*\* BALANCE BY DATE \*\*\*

03/31	12,642.30	04/03	16,478.87	04/04	18,036.72	04/05	6,278.23
04/06	7,895.67	04/07	12,417.93	04/10	16,248.93	04/12	7,406.74
04/13	8,214.48	04/14	13,908.65	04/17	17,074.91	04/19	24,186.10
04/20	11,751.47	04/21	13,897.13	04/24	18,298.13	04/25	20,848.30
04/26	9,454.87	04/28	16,178.16				

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\*\*\* CHECKING \*\*\* NY BUSINESS

ACCOUNT NUMBER 7918850657

PREVIOUS STATEMENT BALANCE AS OF 04/30/06 ..... 16,178.16

PLUS 99 DEPOSITS AND OTHER CREDITS ..... 730,971.61

LESS 386 CHECKS AND OTHER DEBITS ..... 759,101.28

CURRENT STATEMENT BALANCE AS OF 05/31/06 ..... 11,951.51-

NUMBER OF DAYS IN THIS STATEMENT PERIOD 31

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1023	05/26	400.00	1326	05/04	747.60
1024	05/30	400.00	1327	05/10	1,893.60
1026*	05/30	500.00	1329*	05/03	1,423.80
1028*	05/31	500.00	1330	05/08	1,616.50
1029	05/31	350.00	1331	05/05	1,893.00
1030	05/30	4,811.80	1332	05/03	1,120.90
1031	05/25	3,639.20	1333	05/10	373.05
1032	05/24	2,102.40	1334	05/03	1,500.00
1033	05/24	1,608.00	1335	05/11	2,139.00
1034	05/30	2,278.75	1336	05/03	1,565.20
1036*	05/23	1,999.56	1337	05/02	2,797.72
1037	05/31	1,350.00	1338	05/05	2,900.00
1040*	05/31	1,365.00	1339	05/10	1,000.00
1041	05/26	2,045.00	1340	05/11	702.00
1042	05/31	2,302.79	1340S	05/17	702.00
1047*	05/30	1,700.10	1341	05/08	4,065.32
1048	05/31	2,900.00	1342	05/04	2,392.60
1049	05/31	807.50	1343	05/08	1,663.00
1050	05/30	1,815.65	1344	05/08	2,247.50
1051	05/30	496.80	1345	05/08	2,435.00
1052	05/30	1,350.00	1346	05/11	2,435.00
1053	05/31	1,175.00	1346S	05/16	2,435.00
1058*	05/31	2,900.00	1347	05/15	1,080.25
1059	05/26	2,400.00	1348	05/19	1,080.25
1294*	05/03	14,063.77	1349	05/09	3,050.00
1299*	05/05	4,939.20	1350	05/10	3,050.00
1300	05/04	1,350.00	1351	05/08	1,802.70
1301	05/03	1,954.70	1352	05/08	1,256.65
1302	05/05	1,175.00	1353	05/10	1,256.65
1303	05/05	3,791.59	1354	05/12	1,256.65
1304	05/09	3,791.59	1355	05/12	48.68
1305	05/09	349.50	1357*	05/10	358.34
1306	05/08	2,486.00	1359*	05/08	1,350.00
1307	05/08	200.00	1360	05/05	1,968.30
1308	05/23	400.00	1362*	05/10	1,863.50
1309	05/05	400.00	1364*	05/11	1,863.50
1310	05/09	200.00	1364S	05/23	1,863.50
1311	05/08	500.00	1365	05/11	427.51
1312	05/11	500.00	1365S	05/26	427.51
1313	05/09	500.00	1366	05/05	2,730.00
1314	05/09	500.00	1367	05/09	2,620.25
1315	05/08	350.00	1368	05/12	3,718.70
1316	05/02	2,280.00	1369	05/15	3,718.70
1321*	05/11	1,507.97	1370	05/09	2,636.78
1321S	05/19	1,507.97	1371	05/12	5,096.00
1322	05/09	6,386.54	1373*	05/05	705.26
1323	05/05	1,000.00	1374	05/12	1,175.00
1324	05/10	158.77	1375	05/12	1,523.05
1325	05/10	209.66	1376	05/09	1,523.05

BAYAT OVERSEAS INC. DBA PAMIR FOOD  
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\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1377	05/10	14,547.66	1433	05/17	750.00
1378	05/12	14,547.66	1434	05/10	1,621.50
1379	05/15	14,547.67	1435	05/11	2,908.46
1380	05/10	1,452.09	1435S	05/23	2,908.46
1381	05/10	1,452.09	1437*	05/15	1,440.00
1382	05/10	1,452.09	1438	05/15	1,440.00
1383	05/10	1,750.83	1439	05/11	1,440.00
1384	05/09	400.00	1439S	05/16	1,440.00
1385	05/08	1,500.00	1440	05/12	617.00
1386	05/12	524.25	1441	05/17	2,372.00
1388*	05/09	2,900.00	1442	05/12	400.00
1389	05/11	1,579.90	1443	05/12	400.00
1389S	05/16	1,579.90	1444	05/15	2,459.50
1390	05/11	1,579.90	1445	05/17	3,081.00
1390S	05/16	1,579.90	1446	05/11	3,000.00
1391	05/11	1,579.90	1446S	05/18	3,000.00
1391S	05/16	1,579.90	1447	05/10	1,500.00
1392	05/15	1,579.90	1448	05/15	1,000.00
1393	05/15	457.31	1449	05/12	874.45
1394	05/15	2,445.00	1450	05/11	3,001.50
1395	05/15	254.63	1451	05/15	1,000.00
1396	05/09	386.76	1452	05/11	1,221.00
1397	05/10	147.98	1453	05/12	3,542.07
1398	05/08	167.07	1454	05/15	419.40
1399	05/16	658.48	1455	05/12	1,350.00
1400	05/08	91.72	1456	05/18	2,310.50
1401	05/09	362.69	1457	05/11	2,293.10
1403*	05/08	183.99	1457	05/17	2,293.10
1404	05/09	1,155.25	1458	05/12	1,080.96
1405	05/09	1,155.25	1459	05/12	1,080.96
1406	05/23	534.45	1460	05/17	1,175.00
1408*	05/08	361.23	1461	05/15	794.63
1409	05/12	309.69	1462	05/16	2,484.79
1410	05/12	683.92	1463	05/17	3,292.80
1411	05/09	883.20	1465*	05/12	2,280.00
1412	05/11	658.92	1466	05/16	2,900.00
1412S	05/19	658.92	1467	05/12	1,704.05
1413	05/12	5,096.00	1470*	05/23	2,948.00
1414	05/09	1,350.00	1471	05/19	2,667.60
1415	05/10	1,928.25	1472	05/22	2,667.60
1416	05/11	2,900.00	1473	05/15	1,604.80
1417	05/09	2,280.00	1474	05/16	1,604.80
1418	05/15	909.70	1475	05/17	1,604.80
1419	05/08	2,966.52	1476	05/11	1,690.50
1420	05/12	389.40	1476S	05/15	1,690.50
1421	05/15	612.90	1477	05/17	16,413.69
1422	05/11	2,622.96	1478	05/19	16,413.69
1422S	05/25	2,622.96	1479	05/22	16,413.70
1423	05/18	2,622.96	1480	05/17	1,429.88
1424	05/18	2,622.96	1481	05/19	1,429.88
1425	05/23	166.50	1482	05/22	1,429.88
1426	05/15	500.00	1483	05/22	1,429.88
1427	05/12	200.00	1485*	05/15	1,873.10
1428	05/11	500.00	1486	05/17	1,175.00
1428S	05/22	500.00	1487	05/16	3,637.28
1429	05/16	200.00	1488	05/15	1,500.00
1430	05/16	500.00	1489	05/24	349.50
1431	05/15	350.00	1491*	05/16	5,000.00
1432	05/16	500.00	1492	05/16	386.15

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\*\*\* CHECK TRANSACTIONS \*\*\*

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SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1493	05/17	147.39	1562	05/24	1,500.00
1494	05/22	166.47	1563	05/22	1,350.00
1495	05/16	657.89	1564	05/19	1,543.50
1496	05/15	91.85	1565	05/24	1,571.26
1499*	05/15	183.39	1566	05/25	1,571.26
1500	05/19	1,154.65	1567	05/26	1,656.00
1501	05/17	1,154.65	1568	05/23	2,450.50
1502	05/22	533.85	1569	05/19	1,694.82
1504*	05/15	360.63	1570	05/19	2,280.00
1505	05/17	1,353.00	1571	05/22	588.00
1506	05/16	1,731.15	1572	05/25	17,055.98
1507	05/19	1,822.80	1573	05/26	17,055.98
1508	05/22	2,618.15	1574	05/31	17,055.98
1509	05/22	2,618.15	1575	05/22	2,357.50
1511*	05/24	349.50	1576	05/24	4,684.40
1512	05/17	789.21	1577	05/24	4,200.04
1513	05/19	3,323.08	1578	05/24	2,900.00
1515*	05/24	500.00	1579	05/30	1,092.00
1516	05/26	1,500.00	1580	05/23	1,000.00
1517	05/24	575.00	1581	05/22	1,500.00
1518	05/22	500.00	1583*	05/24	1,372.70
1519	05/19	200.00	1584	05/26	1,372.70
1520	05/22	200.00	1585	05/26	1,372.70
1522*	05/23	500.00	1586	05/26	1,372.70
1523	05/22	350.00	1587	05/23	386.16
1524	05/23	500.00	1588	05/23	147.38
1525	05/23	525.42	1589	05/22	166.47
1526	05/22	396.11	1590	05/31	657.89
1527	05/18	214.21	1591	05/22	91.85
1529*	05/18	2,454.00	1592	05/23	362.09
1530	05/23	2,454.00	1593	05/23	386.15
1532*	05/19	1,471.57	1594	05/22	183.39
1533	05/18	400.00	1596*	05/26	1,154.65
1534	05/22	400.00	1597	05/24	533.85
1535	05/18	2,931.97	1599*	05/24	360.63
1536	05/17	1,581.13	1600	05/24	209.70
1537	05/19	4,968.60	1601	05/25	229.65
1538	05/18	2,484.79	1602	05/23	1,000.00
1539	05/18	1,365.00	1603	05/23	1,922.05
1540	05/24	2,160.00	1604	05/24	1,350.00
1541	05/24	2,160.00	1605	05/26	1,616.50
1542	05/17	1,642.81	1606	05/26	1,470.73
1543	05/22	2,188.25	1607	05/30	1,470.73
1544	05/17	1,500.00	1608	05/30	1,470.73
1545	05/30	392.00	1609	05/30	1,470.73
1546	05/25	1,681.02	1610	05/30	1,316.80
1547	05/25	1,681.02	1611	05/25	2,934.45
1548	05/18	1,877.90	1612	05/30	2,934.46
1549	05/22	1,200.00	1613	05/26	1,175.00
1550	05/25	1,674.00	1614	05/30	1,175.00
1551	05/22	1,125.00	1615	05/26	3,349.50
1554*	05/23	4,775.40	1618*	05/30	309.69
1555	05/24	1,600.91	1619	05/30	244.25
1556	05/24	1,600.91	1620	05/30	200.00
1557	05/22	3,030.50	1621	05/30	400.00
1558	05/25	657.41	1623*	05/31	13,124.71
1559	05/25	657.41	1627*	05/30	1,528.40
1560	05/23	1,354.25	1628	05/30	1,528.40
1561	05/23	1,354.25	1629	05/31	1,528.40

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BAYAT OVERSEAS INC. DBA PAMIR FOOD  
5301 NURGE AVE  
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## \*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1632*	05/31	3,820.32	1655	05/30	183.39
1633	05/31	2,865.24	1663*	05/31	1,576.00
1638*	05/30	2,863.50	1664	05/30	2,010.00
1639	05/31	2,626.18	1665	05/31	386.15
1640	05/31	3,542.70	1666	05/31	2,110.50
1642*	05/26	2,183.01	1667	05/30	279.50
1646*	05/31	1,000.00	1672*	05/30	1,200.00
1648*	05/31	386.15	1674*	05/31	2,699.00
1649	05/31	147.38	1675	05/31	1,423.80
1651*	05/31	657.89	1686*	05/31	701.90
1652	05/30	91.85	1687	05/31	2,784.00
1653	05/31	362.09	1703*	05/31	1,623.22
1654	05/31	386.16			

## \*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
05/01	DEPOSIT		2,831.51
05/02	DEPOSIT		937.70
05/02	DEPOSIT		1,200.00
05/02	DEPOSIT		5,900.00
05/02	DEPOSIT		14,200.00
05/02	DEBIT MEMO	2.00	
05/03	WIRE TRANSFER002453		20,000.00
05/03	DEPOSIT		3,129.00
05/03	DEPOSIT		22,440.00
05/03	WIRE TRANSFER FEE002453	10.00	
05/05	DEPOSIT		5,330.00
05/05	DEPOSIT		8,347.66
05/05	WIRE TRANSFER FEE000726	15.00	
05/05	WIRE TRANSFER000726	8,482.00	
05/08	DEPOSIT		2,577.15
05/08	DEPOSIT		20,000.00
05/08	AC-IRS -USATAXPYMT	4,500.00	
05/09	DEPOSIT		8,800.00
05/09	DEPOSIT		11,500.00
05/09	DEPOSIT		24,000.00
05/09	AC-IRS -USATAXPYMT	552.17	
05/10	DEPOSIT		8,300.00
05/10	DEPOSIT		8,420.13
05/10	DEPOSIT		16,200.00
05/11	DEPOSIT		10,200.00
05/11	RETURNED CHECK # 00001365		427.51
05/11	RETURNED CHECK # 00001312		500.00
05/11	RETURNED CHECK # 00001428		500.00
05/11	RETURNED CHECK # 00001412		658.92
05/11	RETURNED CHECK # 00001340		702.00
05/11	RETURNED CHECK # 00001452		1,221.00
05/11	RETURNED CHECK # 00001439		1,440.90
05/11	RETURNED CHECK # 00001321		1,507.97
05/11	RETURNED CHECK # 00001389		1,579.90
05/11	RETURNED CHECK # 00001390		1,579.90
05/11	RETURNED CHECK # 00001391		1,579.90
05/11	RETURNED CHECK # 00001476		1,690.50
05/11	RETURNED CHECK # 00001364		1,863.50
05/11	RETURNED CHECK # 00001335		2,139.00
05/11	RETURNED CHECK # 00001457		2,293.10

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\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
05/11	RETURNED CHECK # 00001346		2,435.00
05/11	RETURNED CHECK # 00001422		2,622.96
05/11	RETURNED CHECK # 00001416		2,900.00
05/11	RETURNED CHECK # 00001435		2,908.46
05/11	RETURNED CHECK # 00001446		3,000.00
05/11	RETURNED CHECK # 00001450		3,001.50
05/11	LEVY FEE	100.00	
05/11	NY RESTR NOTICE	17,870.74	
05/11	RETURN DEPOSITED ITEM FEES	10.00	
05/11	UNAVAILABLE FUNDS FEE	140.00	
05/11	RETURN DEPOSITED ITEM	539.20	
05/12	LEVY RELEASE		17,870.74
05/12	DEPOSIT		1,200.00
05/12	DEPOSIT		5,392.81
05/12	DEPOSIT		10,600.00
05/12	DEPOSIT		20,000.00
05/15	DEPOSIT		3,816.00
05/15	DEPOSIT		5,900.00
05/15	DEPOSIT		23,000.00
05/16	DEPOSIT		1,200.00
05/16	DEPOSIT		1,200.00
05/16	DEPOSIT		1,200.00
05/16	DEPOSIT		4,500.00
05/16	DEPOSIT		13,500.00
05/16	DEPOSIT		21,000.00
05/16	DEPOSIT		1,200.00
05/17	DEPOSIT		2,927.00
05/17	DEPOSIT		5,219.89
05/17	DEPOSIT		19,000.00
05/17	WIRE TRANSFER FEE000536	15.00	
05/17	WIRE TRANSFER000536	5,901.50	
05/17	AC-Sempra Energy Tr-DailyACH	676.61	
05/18	DEPOSIT		3,440.00
05/18	DEPOSIT		4,345.72
05/18	DEPOSIT		14,500.00
05/18	POS DEBIT 05/18 PEP BOYS #453 RIDGEWOOD NY	90.34	
05/19	DEPOSIT		1,200.00
05/19	DEPOSIT		5,493.51
05/19	DEPOSIT		8,200.00
05/19	DEPOSIT		10,100.00
05/19	DEPOSIT		13,900.00
05/19	RETURNED CHECK # 00001481		1,429.88
05/19	LEVY FEE	100.00	
05/19	NY RESTR NOTICE	18,862.79	
05/19	UNAVAILABLE FUNDS FEE	315.00	
05/22	DEPOSIT		10,800.00
05/22	DEPOSIT		24,000.00
05/22	OVERDRAFT FEE	35.00	
05/22	NSF FEE	35.00	
05/22	UNAVAILABLE FUNDS FEE	420.00	
05/23	LEVY RELEASE		18,862.79
05/23	DEPOSIT		1,200.00
05/23	DEPOSIT		1,200.00
05/23	DEPOSIT		2,819.95

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 BAYAT OVERSEAS INC. DBA PAMIR FOOD  
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## \*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
05/23	DEPOSIT		9,000.00
05/23	DEPOSIT		9,000.00
05/23	DEPOSIT		23,000.00
05/23	DEBIT MEMO	10.00	
05/24	DEPOSIT		2,685.25
05/24	DEPOSIT		10,500.00
05/24	DEPOSIT		12,300.00
05/24	AC-CLARKE AMERICAN -CHK ORDER	113.14	
05/25	DEPOSIT		4,717.41
05/25	DEPOSIT		11,100.00
05/26	DEPOSIT		1,200.00
05/26	DEPOSIT		1,200.00
05/26	DEPOSIT		4,003.95
05/26	DEPOSIT		4,400.00
05/26	DEPOSIT		6,000.00
05/26	DEPOSIT		24,000.00
05/26	UNCOLLECTED FUNDS FEE	35.00	
05/30	DEPOSIT		900.00
05/30	DEPOSIT		3,070.00
05/30	DEPOSIT		9,500.00
05/30	DEPOSIT		13,100.00
05/30	DEPOSIT		16,600.00
05/30	UNCOLLECTED FUNDS FEE	35.00	
05/31	DEPOSIT		1,500.00
05/31	DEPOSIT		2,094.00
05/31	DEPOSIT		2,304.35
05/31	DEPOSIT		2,800.00
05/31	DEPOSIT		5,614.09
05/31	DEPOSIT		16,300.00
05/31	DEPOSIT		23,000.00
05/31	DEBIT MEMO	9.81	
05/31	POS DEBIT 05/30	35.00	
	ESL SERVICE CORP ENGLEWOOD NJ		

## \*\*\* BALANCE BY DATE \*\*\*

04/30	16,178.16	05/01	19,009.67	05/02	36,167.65	05/03	60,098.28
05/04	55,608.08	05/05	39,296.39	05/08	32,130.34	05/09	43,447.31
05/10	40,351.41	05/11	31,891.47	05/12	39,056.53	05/15	29,458.67
05/16	43,183.43	05/17	22,482.78	05/18	22,393.87	05/19	1,222.14
05/22	8,472.61-	05/23	26,662.01	05/24	20,346.32	05/25	1,759.37
05/26	1,976.34	05/30	9,596.81	05/31	11,951.51-		

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\*\*\* CHECKING \*\*\* NY BUSINESS

ACCOUNT NUMBER 7918850657

PREVIOUS STATEMENT BALANCE AS OF 05/31/06 .....	11,951.51-
PLUS 84 DEPOSITS AND OTHER CREDITS .....	365,011.81
LESS 182 CHECKS AND OTHER DEBITS .....	353,060.30
CURRENT STATEMENT BALANCE AS OF 06/30/06 .....	.00
NUMBER OF DAYS IN THIS STATEMENT PERIOD 30	

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
	06/02	2,579.30	1681	06/08	500.00
1025*	06/02	200.00	1682	06/07	500.00
1027*	06/01	500.00	1683	06/06	1,000.00
1035*	06/09	93.00	1684	06/06	350.00
1039*	06/02	527.10	1685	06/05	400.00
1043*	06/01	2,302.79	1688*	06/05	3,432.75
1044	06/01	1,934.40	1690*	06/05	400.00
1045	06/01	269.44	1691	06/05	2,679.35
1046	06/05	602.89	1692	06/06	2,679.35
1054*	06/01	2,536.30	1693	06/08	257.75
1055	06/01	2,536.30	1694	06/02	1,350.00
1060*	06/05	511.36	1697*	06/06	1,350.00
1312*S	06/02	500.00	1698	06/07	1,487.00
1372*	06/07	2,026.75	1699	06/07	607.89
1452*S	06/01	1,221.00	1700	06/06	1,500.00
1481*S	06/01	1,429.88	1701	06/05	1,500.00
1521*	06/08	400.00	1702	06/12	1,839.00
1573*	06/07	17,055.98	1704*	06/01	253.16
1595*	06/01	1,154.65	1705	06/13	2,652.00
1616*	06/01	520.10	1707*	06/02	2,972.50
1622*	06/06	201.00	1708	06/05	1,521.80
1624*	06/01	13,124.71	1709	06/06	1,521.80
1625	06/05	13,124.71	1710	06/02	2,365.00
1626S	06/02	1,293.49	1711	06/07	833.40
1630*	06/02	1,710.10	1712	06/05	4,874.52
1631	06/05	2,376.00	1713	06/05	2,183.90
1633*S	06/05	2,865.24	1714	06/09	578.96
1637*	06/01	1,350.00	1715	06/08	3,275.97
1639*S	06/07	2,626.18	1716	06/12	3,275.97
1640S	06/07	3,542.70	1717	06/05	3,114.50
1641	06/02	2,805.71	1719*	06/07	3,114.50
1643*	06/06	162.00	1720	06/05	575.00
1644	06/05	8.25	1721	06/02	420.00
1645	06/02	3,542.70	1722	06/02	2,400.00
1646S	06/08	1,000.00	1723	06/07	16,027.75
1647	06/02	330.00	1724	06/08	16,027.75
1650*	06/05	166.47	1725	06/12	16,027.75
1651S	06/12	657.89	1726	06/07	612.35
1656*	06/06	1,154.65	1727	06/06	1,350.00
1657	06/01	1,154.65	1728	06/05	2,389.75
1658	06/08	533.85	1729	06/05	477.50
1660*	06/12	360.63	1730	06/08	1,597.12
1665*S	06/13	386.15	1731	06/12	1,597.12
1668*	06/02	1,616.50	1732	06/12	1,597.12
1676*	06/02	400.00	1734*	06/06	3,577.00
1677	06/05	400.00	1735	06/06	2,295.19
1678	06/05	200.00	1736	06/06	2,295.19
1679	06/07	200.00	1737	06/06	2,900.00
1680	06/06	500.00	1738	06/05	1,000.00



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 BAYAT OVERSEAS INC. DBA PAMIR FOOD  
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## \*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT
1739	06/05	1,608.00
1740	06/08	2,694.80
1745*	06/13	386.16
1755*	06/06	1,154.65
1756	06/07	1,887.80
1757	06/07	1,887.80
1758	06/06	386.16
1759	06/06	147.38
1760	06/06	657.88
1761	06/05	166.47
1762	06/07	386.16
1763	06/05	91.85
1764	06/07	362.09
1765	06/07	386.15
1766	06/05	183.39
1768*	06/08	533.85
1770*	06/13	360.63
1773*	06/06	2,718.70
1774	06/09	2,141.90
1775	06/05	2,417.19
1776	06/09	2,517.88
1777	06/13	2,517.88
1778	06/08	2,421.50
1781*	06/12	500.00
1784*	06/13	350.00
1787*	06/12	400.00
1789*	06/09	500.00
1790	06/09	500.00
1791	06/09	3,577.00
1792	06/08	2,613.70
1793	06/09	401.54

SERIAL	DATE	AMOUNT
1794	06/12	300.00
1796*	06/08	319.50
1797	06/08	1,225.00
1798	06/12	2,529.75
1801*	06/08	706.80
1803*	06/08	1,440.00
1804	06/12	1,440.00
1805	06/13	1,440.00
1806	06/07	1,447.20
1807	06/09	2,900.00
1808	06/13	1,000.00
1809	06/12	1,350.00
1810	06/09	1,017.60
1811	06/08	2,162.15
1816*	06/12	518.50
1817	06/09	3,924.23
1819*	06/12	1,350.00
1820	06/12	1,619.25
1821	06/13	2,900.00
1824*	06/12	867.00
1825	06/12	2,020.25
1826	06/12	2,020.25
1828*	06/09	2,400.00
1829	06/13	15,600.05
1835*	06/12	2,664.65
1845*	06/12	634.50
1846	06/13	2,900.00
1847	06/12	1,608.00
10978238*	06/12	19,408.00
12890335*	06/15	4.71

## \*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
05/31	RETURNED CHECK # 00001649		147.38
05/31	RETURNED CHECK # 00001653		362.09
05/31	RETURNED CHECK # 00001648		386.15
05/31	RETURNED CHECK # 00001665		386.15
05/31	RETURNED CHECK # 00001654		386.16
05/31	RETURNED CHECK # 00001651		657.89
05/31	RETURNED CHECK # 00001646		1,000.00
05/31	RETURNED CHECK # 00001663		1,576.00
05/31	RETURNED CHECK # 00001639		2,626.18
05/31	RETURNED CHECK # 00001633		2,865.24
05/31	RETURNED CHECK # 00001640		3,542.70
06/01	DEPOSIT		1,843.00
06/01	DEPOSIT		19,733.00
06/01	UNCOLLECTED FUNDS FEE	70.00	
06/01	NSF FEE	385.00	
06/02	DEPOSIT		1,200.00
06/02	DEPOSIT		1,300.00
06/02	DEPOSIT		6,685.72
06/02	DEPOSIT		13,050.00
06/02	DEPOSIT		16,200.00
06/02	DEBIT MEMO	2.00	
06/02	DEBIT MEMO	50.50	

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\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
06/02	OVERDRAFT FEE	35.00	
06/05	DEPOSIT		2,346.71
06/05	DEPOSIT		8,000.00
06/05	DEPOSIT		15,400.00
06/05	DEPOSIT		16,600.00
06/05	RETURN DEPOSITED ITEM FEES	10.00	
06/05	RETURN DEPOSITED ITEM	863.00	
06/06	DEPOSIT		1,200.00
06/06	DEPOSIT		1,200.00
06/06	DEPOSIT		8,000.00
06/06	DEPOSIT		12,400.00
06/06	DEPOSIT		19,000.00
06/06	DEBIT MEMO	10.00	
06/06	DEBIT MEMO	50.00	
06/06	UNCOLLECTED FUNDS FEE	70.00	
06/06	OVERDRAFT FEE	105.00	
06/07	DEPOSIT		4,937.00
06/07	DEPOSIT		9,900.00
06/07	DEPOSIT		10,500.00
06/07	DEBIT MEMO	1.00	
06/08	DEPOSIT		1,200.00
06/08	DEPOSIT		6,150.00
06/08	DEPOSIT		10,700.00
06/08	RETURNED CHECK # 00001796		319.50
06/08	RETURNED CHECK # 00001801		706.80
06/08	RETURNED CHECK # 00001797		1,225.00
06/08	RETURNED CHECK # 00001803		1,440.00
06/08	RETURNED CHECK # 00001811		2,162.15
06/08	RETURNED CHECK # 00001792		2,613.70
06/08	UNCOLLECTED FUNDS FEE	70.00	
06/08	OVERDRAFT FEE	175.00	
06/09	DEPOSIT		1,200.00
06/09	DEPOSIT		1,200.00
06/09	DEPOSIT		3,046.79
06/09	DEPOSIT		5,032.00
06/09	DEPOSIT		7,000.00
06/09	DEPOSIT		7,184.00
06/09	DEPOSIT		17,500.00
06/09	NSF FEE	210.00	
06/09	OVERDRAFT FEE	385.00	
06/12	DEPOSIT		1,200.00
06/12	DEPOSIT		3,380.00
06/12	DEPOSIT		22,000.00
06/12	RETURNED CHECK # 00001794		300.00
06/12	RETURNED CHECK # 00001660		360.63
06/12	RETURNED CHECK # 00001787		400.00
06/12	RETURNED CHECK # 00001781		500.00
06/12	RETURNED CHECK # 00001816		518.50
06/12	RETURNED CHECK # 00001845		634.50
06/12	RETURNED CHECK # 00001651		657.89
06/12	RETURNED CHECK # 00001824		867.00
06/12	RETURNED CHECK # 00001809		1,350.00
06/12	RETURNED CHECK # 00001819		1,350.00
06/12	RETURNED CHECK # 00001804		1,440.00
06/12	RETURNED CHECK # 00001731		1,597.12

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\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
06/12	RETURNED CHECK # 00001732		1,597.12
06/12	RETURNED CHECK # 00001847		1,608.00
06/12	RETURNED CHECK # 00001820		1,619.25
06/12	RETURNED CHECK # 00001702		1,839.00
06/12	RETURNED CHECK # 00001825		2,020.25
06/12	RETURNED CHECK # 00001826		2,020.25
06/12	RETURNED CHECK # 00001798		2,529.75
06/12	RETURNED CHECK # 00001835		2,664.65
06/12	RETURNED CHECK # 00001716		3,275.97
06/12	RETURNED CHECK # 00001725		16,027.75
06/12	UNCOLLECTED FUNDS FEE	70.00	
06/12	OVERDRAFT FEE	105.00	
06/12	POS DEBIT 06/09 COASTAL CH	33.00	
	EEMA OIL CORP PALISADES PA NJ		
06/13	RETURNED CHECK # 00001784		350.00
06/13	RETURNED CHECK # 00001770		360.63
06/13	RETURNED CHECK # 00001665		386.15
06/13	RETURNED CHECK # 00001745		386.16
06/13	RETURNED CHECK # 00001808		1,000.00
06/13	RETURNED CHECK # 00001805		1,440.00
06/13	RETURNED CHECK # 00001777		2,517.88
06/13	RETURNED CHECK # 00001705		2,652.00
06/13	RETURNED CHECK # 00001821		2,900.00
06/13	RETURNED CHECK # 00001846		2,900.00
06/13	RETURNED CHECK # 00001829		15,600.05
06/13	NSF FEE	770.00	
06/13	AC-IRS -USATAXPYMT	9,362.42	
06/14	DEPOSIT		1,250.00
06/14	DEPOSIT		9,400.00
06/14	OVERDRAFT FEE	35.00	
06/14	NSF FEE	385.00	

\*\*\* BALANCE BY DATE \*\*\*

05/31	11,951.51-	06/01	7,181.95-	06/02	7,153.87	06/05	643.31-
06/06	13,020.74	06/07	16,634.96-	06/08	28,072.55-	06/09	7,056.87-
06/12	92.87-	06/13	10,225.29-	06/14	4.71	06/15	.00

BAYAT OVERSEAS INC. DBA PAMIR FOOD  
5301 NURGE AVE  
MASPETH NY 11378-3344

05/31/06

7918850657

344

CYCLE-010

\*\*\* CHECK TRANSACTIONS \*\*\*

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
1632*	05/31	3,820.32	1655	05/30	183.39
1633	05/31	2,865.24	1663*	05/31	1,576.00
1638*	05/30	2,863.50	1664	05/30	2,010.00
1639	05/31	2,626.18	1665	05/31	386.15
1640	05/31	3,542.70	1666	05/31	2,110.50
1642*	05/26	2,183.01	1667	05/30	279.50
1646*	05/31	1,000.00	1672*	05/30	1,200.00
1648*	05/31	386.15	1674*	05/31	2,699.00
1649	05/31	147.36	1675	05/31	1,423.80
1651*	05/31	657.89	1686*	05/31	701.90
1652	05/30	91.85	1687	05/31	2,784.00
1653	05/31	362.09	1703*	05/31	1,623.22
1654	05/31	386.16			

\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
05/01	DEPOSIT		2,831.51
05/02	DEPOSIT		937.70
05/02	DEPOSIT		1,200.00
05/02	DEPOSIT		5,900.00
05/02	DEPOSIT		14,200.00
05/02	DEBIT MEMO	2.00	
05/03	WIRE TRANSFER002453		20,000.00
05/03	DEPOSIT		3,129.00
05/03	DEPOSIT		22,440.00
05/03	WIRE TRANSFER FEE002453	10.00	
05/05	DEPOSIT		5,330.00
05/05	DEPOSIT		8,347.66
05/05	WIRE TRANSFER FEE000726	15.00	
05/05	WIRE TRANSFER000726	8,482.00	
05/08	DEPOSIT		2,577.15
05/08	DEPOSIT		20,000.00
05/08	AC-IRS -USATAXPYMT	4,500.00	
05/09	DEPOSIT		8,800.00
05/09	DEPOSIT		11,500.00
05/09	DEPOSIT		24,000.00
05/09	AC-IRS -USATAXPYMT	552.17	
05/10	DEPOSIT		8,300.00
05/10	DEPOSIT		8,420.13
05/10	DEPOSIT		16,200.00
05/11	DEPOSIT		10,200.00
05/11	RETURNED CHECK # 00001365		427.51
05/11	RETURNED CHECK # 00001312		500.00
05/11	RETURNED CHECK # 00001428		500.00
05/11	RETURNED CHECK # 00001412		658.92
05/11	RETURNED CHECK # 00001340		702.00
05/11	RETURNED CHECK # 00001452		1,221.00
05/11	RETURNED CHECK # 00001439		1,440.00
05/11	RETURNED CHECK # 00001321		1,507.97
05/11	RETURNED CHECK # 00001389		1,579.90
05/11	RETURNED CHECK # 00001390		1,579.90
05/11	RETURNED CHECK # 00001391		1,579.90
05/11	RETURNED CHECK # 00001476		1,690.50
05/11	RETURNED CHECK # 00001364		1,863.50
05/11	RETURNED CHECK # 00001335		2,139.00
05/11	RETURNED CHECK # 00001457		2,293.10

\*021305001\*  
06/14/2006  
6150278932

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ETURN REASON-A  
NOT SUFFICIENT  
FUNDS

00260236731 06/13/2006  
0557764930

CHERRY BANK, N.A.  
MASSACHUSETTS

1725

1-1307/2006

6/13/2006

RETURN REASON-A  
NOT SUFFICIENT FUNDS

PAY TO THE ORDER OF  
BAYAT OVERSEAS INC. OVER  
DRAFTER FOOD  
CASH ON HAND

PAY TO THE ORDER OF  
PRINCE POTATOES, INC.  
Four Thousand Twenty-Seven and 75/100

PRINCE POTATOES, INC.  
160 MACQUISTEN PKWY  
MOUNT VERNON, NY 10550

ATM 1725 40260136731 7916850657 0001602775

Signature

001725 40260136731 7916850657 0001602775

0557764430  
031008040 06/14/2006  
6418126825  
\*021305002\* 06/14/2006  
5150276932

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6041664826 PR 5858 PW 26 35-486 06/14/2006

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the original check.

RETURN REASON-A  
NOT SUFFICIENT  
FUNDS

063818390  
06/14/2006

**RETURN REASON**  
**NOT SUFFICIENT FUNDS**

BAYAT OVERSEAS, INC.  
DR. J. H. POOR  
C/O BAYAT OVERSEAS, INC.  
100 MACQUISTEN PKWY  
MOUNT VERNON, NY 10550

0408

COLUMBIA BANK, N.A.  
MANHATTAN, NY

1829

1/13/76  
END

6/12/2006

\$15,600.05

One thousand Six Hundred and 05/100 \*\*\*\*\* COLUMNS

ENDICO POTATOES, INC.  
100 MACQUISTEN PKWY  
MOUNT VERNON, NY 10550

MEMO TO DIRECTOR OF INVESTIGATION FROM SAC, NEW YORK

0011827 0026013573 7518850557 0001560005

00 18 29

4:0260136731:

79188506571

1560005

0041697564 PR 5891 PK 20 56-400 06/15/2006



\*021305001\*  
06/20/2006  
6453660258

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the original check.

RETURN REASON-D  
CLOSED ACCOUNT

000020201  
06/19/2006  
0648399610

BAYAT MEMBERS INC.		04/05	1834
100 MILL ROAD			1-11/1/200
MOUNT VERNON, NY 10558			400
MEMO: 78254167X1147815370815586763402		6/15/2006	
FIFTEEN THOUSAND SIX HUNDRED AND 05/100		\$15,600.05	
DOLLARS			
ENDICO POTATOES, INC.			
160 MACQUISTEN PKW			
MOUNT VERNON, NY 10550			
MEMO: 78254167X1147815370815586763402			
001834		0036013673	7918850657
0001560005			

001834

0036013673

7918850657

0001560005

001-1700253 BR 5000 PW 32 55-400 06/29/2006

\*021305001\*  
06/20/2006  
6451160257

00260136731 06/19/2006  
0648399620

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check. You can use it  
same way you would  
the original check.

TURN REASON-D  
CLOSED ACCOUNT

1832

6/16/2006

\$15,600.05

\*\*\*\*\*DOLLARS

ENDICO POTATOS, INC.  
160 MACQUISTEN PKW  
MOUNT VERNON, NY 10550

MEMO 70260136731 06/19/2006 0648399620

001832 0260136731 7918850657 0001560005

RETURN REASON-D  
CLOSED ACCOUNT

001832

0260136731

7918850657

0001560005

UCBULLB673 UB/L7/CUBB  
0646399620  
033000040 06/20/2006  
6116796653  
\*061305001\* 06/20/2006  
6451660257

FOR DEPOSIT ONLY  
ENDICO POTATOES INC.  
6702980966

COMMERCE  
BANK

0312-0420-5 CRT 8  
06760006  
000-0021 TR-012 100103500020  
000000000000000000000000  
000000000000000000000000

>0210000 06/20/2006

06/20/2006  
HARRISON  
06/20/2006

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0041733252 PR 5900 PX 20 55-400 06/20/2006